



**CARDER**  
**35272**

***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***APRIL 16, 2001  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call: All Present. (Mr. White arrived late.)**

The Invocation was delivered by The Reverend Carl T. Tinsley, Pastor, First Baptist Church of Buena Vista.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, April 19, 2001, at 7:00 p.m., and Saturday, April 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [www.roanokegov.com](http://www.roanokegov.com), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

## **2. CONSENT AGENDA**

**(Approved 6-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meeting of Roanoke City Council held on Monday, April 2, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request to convene in Closed Meeting.

**File #110**

- C-3 A communication from the City Manager requesting a Closed Meeting to discuss a matter with regard to expansion of an existing business where no previous announcement of the interest of the business in expanding its facilities in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request to convene in Closed Meeting.

**File # 104-132**

- C-4 A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request to convene in Closed Meeting.

**File #2-132**

- C-5           A communication from the City Manager recommending that a public hearing be advertised and, with regard to execution of a new lease with the State Department of Health for properties located at 515 and 530 Eighth Street, S. W., for a term of three years.

RECOMMENDED ACTION: Concur in request to advertise a public hearing.

**File #22-373-166**

- C-6           A report from the Director of Finance with regard to collection of delinquent taxes.

RECOMMENDED ACTION: Receive and file.

**File #1-140**

- C-7           A report from the Director of Finance with regard to payment of arbitrage rebate liability in connection with issuance of the City's 1996 General Obligation Bonds.

RECOMMENDED ACTION: Receive and file.

**File #1-53**

- C-8           A communication from Catherine Fox tendering her resignation as a member of the Special Events Committee, effective immediately.

RECOMMENDED ACTION: Receive and file communication and accept the resignation with regret.

**File #110-317**

- C-9           A communication from Matt Kennell tendering his resignation as a member of the Roanoke Arts Committee, effective immediately.

RECOMMENDED ACTION: Receive and file communication and accept the resignation with regret.

**File #110-230**

- C-10          Qualification of the following persons:

S. Wayne Campbell as a member of the City Planning Commission for a term ending December 31, 2004;

**File #15-110-200**

Carolyn M. Bumbry, James W. Burks, Jr., and H. Victor Gilchrist as Commissioners of the Roanoke Redevelopment and Housing Authority for terms ending August 31, 2004; and

**File #15-110-178**

Robert Humphreys as a member of the Roanoke Arts Commission to fill the unexpired term of Ann D. Masters, resigned, ending June 30, 2001.

**File #15-110-230**

RECOMMENDED ACTION: Receive and file.

**REGULAR AGENDA**

**3. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

- a. Request to address Council with regard to the need for safety shields in taxicabs. C. R. Sisson, Liberty Cab Company, Spokesperson.

**Received and filed.**

**File #47**

**4. PETITIONS AND COMMUNICATIONS:**

- a. Briefing with regard to billing of 2001 personal property tax and tax relief. The Honorable David C. Anderson, City Treasurer.

**Received and filed.**

**File #34-79**

- b. A communication from John R. Hubbard, Chief Executive Officer, Roanoke Valley Resource Authority, transmitting the Resource Authority's Annual Budget for Fiscal Year 2001-02, totaling \$8,323,525.00.

**Adopted Resolution No. 35272-041601 (6-0)**  
**File #60-253**

**(Council Member White entered the meeting.)**

## **5. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

### **BRIEFINGS:**

- 1. Presentation of the City of Roanoke Fiscal Year 2001-02 Recommended General Fund Budget and HUD Budget.

**Received and filed and referred to 2001-02 Budget Study.**  
**File #60**

### **ITEMS RECOMMENDED FOR ACTION:**

- 2. A communication recommending amendment to certain sections of the Code of the City of Roanoke (1979), as amended, in connection with the Carvins Cove Natural Reserve.

**Adopted Ordinance No. 35273-041601 (7-0)**  
**File #24-468**

- 3. A communication recommending amendment of Section 24-97, Possession or consumption of alcoholic beverages, Article IV, Parks, Chapter 24, Public Buildings and Property; and amendment of the Fee Compendium to reflect a fee of \$50.00 for an alcohol permit and a refundable damage/clean-up deposit in the amount of \$500.00 for possession or consumption of alcoholic beverages in certain locations in the City.

**Adopted Ordinance No. 35274-041601 (5-2, Council Members Harris and Hudson voting no.)  
File #24-76-166-289**

4. A communication recommending amendment of Section 7-2, Code of the City of Roanoke (1979), as amended, to authorize removal, repair or securement of unsafe structures, as authorized by Section 15.2-906, Code of Virginia (1950), as amended.

**Adopted Ordinance No. 35275-041601 (7-0)  
File #24-32**

5. A communication recommending acceptance of a bid submitted by Cunningham Associates, Inc., in the amount of \$636,515.20, for playground equipment and surfacing for 19 City parks.

**Adopted Resolution No. 35276-041601 (7-0)  
File #67**

6. A communication recommending acceptance of a bid submitted by Clean Sweep of the Roanoke Valley, Inc., in the amount of \$65,425.00, for restroom cleaning services in City parks.

**The matter was tabled pending additional information from the City Manager with regard to background checks on persons engaged in providing the service, frequency of cleaning restrooms and supervision of personnel. (See additional action on page 14.)**

7. A communication recommending acceptance of a bid submitted by Kane's Communication Systems, Inc., for portable radios and accessories for use by the City Sheriff's Office and Jail, in the amount of \$165,701.11.

**Adopted Resolution No. 35277-041601 (7-0)  
File #121-472**

8. A communication recommending rejection of all bids received by the City for long distance network services; and authorization to execute agreements with the Department of Information Technology, a state agency, to use the COVANET service at rates not to exceed current rates, plus five per cent.

**Adopted Resolution Nos. 35278-041601  
and 35279-041601 (7-0)  
File #262-383**

9. A communication recommending appropriation of \$97,200.00 from the Capital Maintenance and Equipment Replacement Program for equipment purchases, maintenance and other one-time priority purchases.

**Adopted Ordinance No. 35280-041601 (7-0)  
File #60-217-472**

b. CITY ATTORNEY:

1. A report transmitting measures authorizing amendments to certain sections of the Code of the City of Roanoke (1979), as amended, in connection with restructuring of the City's authorities, boards, commissions, and committees.

**Adopted Ordinance Nos. 35281-041601, 35282-041601,  
35283-041601, and Resolution No. 35384-041601 (7-0)  
File #24-110-467-468**

2. A report with regard to acquisition of property for the Railside Linear Park Project.

**Withdrawn by the City Attorney.**

## **6. REPORTS OF COMMITTEES:**

- a. A report of the Bid Committee recommending acceptance of the bid of Lanford Brothers Co., Inc., for repairs to four City bridges, in the amount of \$151,526.24, 60 consecutive calendar days of contract time; and transfer of funds in connection therewith. Council Member W. Alvin Hudson, Jr., Chair.

**Adopted Budget Ordinance No. 35295-041601 (7-0) and Resolution  
No. 35285-041601 (7-0)  
File #60-102**

- b. A report of the Bid Committee recommending acceptance of the bid of Breakell, Inc., for ballfield improvements at Wasena Park - Field 2 and Fallon Park, in the amount of \$135,187.00 and 50 consecutive calendar days of contract time. Council Member W. Alvin Hudson, Jr., Chair.

**Adopted Resolution No. 35286-041601 (7-0)  
File #67**

**7. UNFINISHED BUSINESS: NONE.**

**8. INTRODUCTION AND CONSIDERATION OF  
ORDINANCES AND RESOLUTIONS:**

- a. A resolution confirming the City Manager's appointment of Rolanda A. Johnson as Assistant City Manager.

**Adopted Resolution No. 35287-041601 (7-0)  
File #104-184**

- b. A Resolution changing the time and place of commencement of the regular meeting of City Council scheduled to be held at 12:15 p.m., on Monday, May 7, 2001.

**Adopted Resolution No. 35288-041601 (7-0)  
File #132-304**

**9. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Bestpitch called attention to a request to be submitted by Mill Mountain Zoo, Inc., for Capital Maintenance and Equipment Replacement Program funds for zoo upgrades and asked that the matter be included in discussions regarding CMERP funding later in the year.

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

## **10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. George Trent, 3622 Troutland Avenue, N. E., expressed concern with regard to his water service which was disconnected due to non-payment.**

**File #66-468**

### **CERTIFICATION OF CLOSED SESSION.**

**(6-0 Mr. White was absent.)**

**The following persons were appointed/reappointed to boards and commissions:**

**Frank Feather, Bryan Grimes Creasy, Nancy Canova, and Brenda Powell - Fair Housing Board      File #110-178**

**James P. Armstrong - Roanoke Neighborhood Partnership Steering Committee      File #15-110-488**

**Council Member William Carder - Council liaison to the Special Events Committee      File #110-132-317**

**AT 5:50 P.M., THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***APRIL 16, 2001  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call.** Mr. White was absent.

The Invocation as delivered by Council Member Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scouts of America Troop #17, St. John's Episcopal Church.

Welcome. Mayor Smith.

**NOTICE:**

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## **A. PUBLIC HEARINGS:**

1. Public hearing to receive the views of citizens regarding appointment of two Trustees to the Roanoke City School Board for three year terms of office commencing July 1, 2001 and ending June 30,2004. Candidates are: Gary M. Bowman, Melvin W. Garrett, Melinda J. Payne, William E. Skeen, and Ruth C. Willson.

**Remarks of all speakers were received and filed.**

**File #467**

2. Public hearing on a proposed amendment to Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to add a new subsection (9) to Section 36.1-250, Special exception uses, and new subsections (10) and (11), of Division 4, Industrial Districts, of Article III, District Regulations, to permit certain automobile rental establishments and limousine service and taxicab establishments as special exception uses in the LM, Light Manufacturing District, and automobile rental, limousine service, taxicab and general service establishments as permitted uses in the HM, Heavy Manufacturing District. Edward A. Natt, Attorney.

**Adopted Ordinance No. 35289-041601 (6-0)**

**File #24-51**

3. Public hearing on the request of the Roanoke Valley SPCA and Sandra L. Overstreet that a certain undeveloped portion of Edmund Avenue, N. E., lying adjacent to Official Tax Nos. 3210616-3210620, inclusive, and the undeveloped portion of an alley lying adjacent to Official Tax Nos. 3210701-3210708, inclusive, being parallel to and between Edmund Avenue and Baldwin Avenue, be vacated, discontinued and closed. W. Eric Branscom, Attorney.

**Adopted Ordinance No. 35290-041601 (6-0)**

**File #514**

4. Public hearing on the request of the Commonwealth Development Group of Roanoke, LLC, that five contiguous tracts of land at or near the southeastern side of Highland Farm Road and the southeasterly terminus of Tuckawana Circle, be rezoned from RM-2, Residential Multi-Family

District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner. Donald L. Wetherington, Attorney.

**Adopted Ordinance No. 35291-041601 (6-0)**  
**File #51**

5. Public hearing on the request of the City of Roanoke that a portion of Albemarle Avenue, S. E., extending in a westerly direction from Williamson Road, be permanently vacated, discontinued and closed. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35292-041601 (6-0)**  
**File #514**

6. Public hearing on a proposed resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds of the City (and in anticipation of issuance thereof general obligation public improvement bond anticipation notes of the City), in the principal amount of \$12,000.000.00, the proceeds of which are to be granted by the City to the Roanoke Redevelopment and Housing Authority for the purpose of assisting the Authority in paying a portion of the costs of a redevelopment project in the City, known as the South Jefferson Redevelopment Project. Darlene L. Burcham, City Manager, and James D. Grisso, Director of Finance, Spokespersons.

**Adopted Resolution No. 35293-041601 (6-0)**  
**File #53-178-540**

**B. OTHER HEARING OF CITIZENS:**

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Request to address Council with regard to Wiley Drive through Smith Park. E. Duane Howard, Spokesperson.

**Fourteen persons spoke in support of closing Wiley Drive to vehicular traffic on weekends.**

**File #67**

**Mr. Robert Gravely, 1412 Moorman Road, N. W., complained about the \$12 million bond proceeds provided to the Roanoke Redevelopment and Housing Authority in connection with the South Jefferson Redevelopment Project, and low wages for the City work force.**

**File # 53-66-178-184-540**

**Mr. Chris Craft, 1508 East Gate Avenue, N. E., apologized for a previous statement he made regarding Victory Stadium, which statement was presented in the absence of all of the facts.**

**File #122**

**Adopted Resolution No. 35294-041601 accepting the bid of Clean Sweep of Roanoke Valley, Inc., for the provision of restroom cleaning services in City parks, upon certain terms and conditions, and rejecting all other bids received. (7-0)**

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS UNTIL THURSDAY, APRIL 19, 2001, AT 4:00 P.M., IN THE CITY COUNCIL CHAMBER, AT WHICH TIME COUNCIL WILL INTERVIEW FIVE PERSONS SEEKING APPOINTMENT TO THE ROANOKE CITY SCHOOL BOARD FOR THREE YEAR TERMS OF OFFICE COMMENCING JULY 1, 2001 AND ENDING JUNE 30, 2004**